



**MOBILEHOME RENT REVIEW COMMISSION
MEETING AGENDA**

THURSDAY, JANUARY 19, 2012
6:00 P.M.

COUNCIL CHAMBERS, CITY HALL
276 FOURTH AVENUE

CALL TO ORDER/ROLL CALL

Steve Epsten _____, Rudy Gonzalez _____, Edmond LaPierre _____, Sam Longanecker _____, Cesar Padilla _____, Ramon Riesgo _____, Mitch Thompson _____.

1. APPROVAL OF MINUTES

- ❖ 7/21/11, Attachment 1
- ❖ 9/21/11, Attachment 2
- ❖ 1/4/12, Attachment 3

2. BRENTWOOD MOBILE HOME PARK PUBLIC HEARING: (1) AS ORDERED BY THE SAN DIEGO SUPERIOR COURT, TO SET ASIDE PRIOR RENT INCREASE OF \$45/MONTH AT BRENTWOOD MOBILE HOME PARK; AND (2) TO SET THE RENT INCREASE CONSISTENT WITH THE SUPERIOR COURT'S ORDER, INCLUDING CONSIDERATION OF CITY STAFF'S RECOMMENDATION THAT THE RENT INCREASE BE SET AT \$78/MONTH, PHASED IN BY A RENT INCREASE OF \$22/MONTH FOR 2012 AND \$26/MONTH FOR 2013 (WITH \$30/MONTH ALREADY HAVING BEEN PAID IN 2010 AND 2011)

Consideration to set aside the previous 2010 decision on a rent increase of \$45 for two hundred (200) spaces at Brentwood Mobile Home Park, and to conduct a new hearing consistent with the Superior Court's decision in Case No. 37-2010-00079506-CU-WM-SC. City staff will recommend that the rent increase be set at \$78, phased in by a rent increase of \$22 for 2012 and \$26 for 2013 (with \$30 already having been paid in 2010 and 2011), Attachment 4.

3. STAFF COMMENTS

4. MEMBERS COMMENTS

5. PUBLIC COMMENTS

Opportunity for members of the public to speak to the Mobilehome Rent Review Commission on any subject matter within the Commission's jurisdiction but not an item on today's agenda. Each speaker's presentation may not exceed three minutes.

6. ADJOURNMENT – To the next regular meeting of April 19, 2012.

Dated: 1/14/12

COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT (ADA)

The City of Chula Vista, in complying with the Americans with Disabilities Act (ADA), request individuals who require special accommodations to access, attend, and/or participate in a City meeting, activity, or service request such accommodation at least forty eight hours in advance for meetings and five days for scheduled services and activities. Please contact Redevelopment & Housing for specific information at (619) 691-5047 or Telecommunications Devices for the Deaf (TDD) at (619) 585-5647. California Relay Service is also available for the hearing impaired.

**CITY OF CHULA VISTA
DRAFT MINUTES
MOBILEHOME RENT REVIEW COMMISSION**

Thursday, July 21, 2011

6:00 P.M. CLOSED SESSION

6:30 P.M. TIME CERTAIN PUBLIC START

**276 FOURTH AVENUE
CONFERENCE ROOM C101, CITY HALL**

CALL TO ORDER/ROLL CALL – 6:02 P.M.

PRESENT: Rudy Gonzalez, Pat LaPierre, Sam Longanecker, Cesar Padilla, Ramon Riesgo, Mitch Thompson

ABSENT: Steve Epsten (excused)

STAFF: Stacey Kurz, Senior Project Coordinator
Simon Silva, Deputy City Attorney

Chair Padilla announced at 6:03 p.m. that the meeting would now be closed to the public and would be reopened to resume with the agenda at 6:30 p.m. The closed session item was as follows:

1. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

❖ Brentwood MHP Investors, LLP v. City of Chula Vista, San Diego Superior Court Case No. 37-2010-00079506-CU-WM-SC

Chair Padilla called the public session to order at 6:40 p.m.

2. APPROVAL OF MINUTES

May 31, 2011

Member Riesgo made a motion to approve the minutes. Member Longanecker seconded the motion. All members (4-0) agreed to the approval of the minutes.

3. ELECTION OF CHAIR AND VICE CHAIR FOR FISCAL YEAR 2011/2012

Staff Kurz indicated that legal staff has advised staff to keep Chair Padilla beyond his term end (June 30, 2011) until litigation with Brentwood has been resolved.

Member Gonzalez made a motion to table the item. No one seconded the motion.

Member Gonzalez made a motion to nominate Member Padilla to remain as Chair. Member Longanecker seconded the motion. All members (4-0) agreed to the election of Chair Padilla.

Member Longanecker made a motion to nominate Member Gonzalez to remain as Vice Chair. Member Riesgo seconded the motion. All members (4-0) agreed to the election of Vice Chair Gonzalez.

4. AMENDMENTS TO THE RENT REVIEW ORDINANCE

Staff Kurz provided a synopsis of the July 12th City Council meeting where they adopted the staff recommended changes to Chula Vista Municipal Code 9.50 – Mobilehome Park Space Rent Review ("CVMC 9.50"). The major changes included:

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- Deleting the right to petition on change of ownership, but stressed that if a new owner had an eligible lease under CVMC 9.50 they would fall under the annual permissive increase rules on their first anniversary and subsequent years.
- Establishment of an Administrative Fee for all residents that fall under the purview of CVMC 9.50. The fee would be adopted at a later date and adopted on an annual basis, but collection is slated to begin July 1, 2012 or slightly before.

5. STAFF COMMENTS

Staff Kurz indicated that City Council referred the ordinance changes proposed to Chula Vista Municipal Code 9.40 back to legal staff to ensure conflicts with state law did not exist.

6. MEMBER'S COMMENTS

None.

7. PUBLIC COMMUNICATIONS

Lisa Demasse, resident Palace Garden Mobilehome Park – Ms. Demasse asked what would happen with the administrative fee if there was a surplus after a particular year. Staff Kurz responded indicating that the fee would be assessed on an annual basis and therefore if a surplus occurred after a year it would be applied to the next year's assessment.

Member Gonzalez asked if staff overhead was going to be included in the calculation of the fee and Staff Kurz replied yes.

Steve Molski, resident of Terry's and COMOCAL representative – Mr. Molski expressed his disappointment with the passage of the fee considering the number of residents who signed the petitions against. He further indicated that the collection of the fee should occur once per year.

Penny Vaughn, President of Chula Vista Mobilehome Residents Association and GSMOL representative – Ms. Vaughn asked why the commission changed their mind after the April 14th meeting where it sounded like they supported a cap rent system, and recommended the staff changes on May 31st.

8. **ADJOURNMENT** – Chair Padilla adjourned the meeting at 7:37 p.m. to the next regularly scheduled meeting of October 20, 2011, if needed.



Recorder, Stacey Kurz

**CITY OF CHULA VISTA
DRAFT MINUTES
MOBILEHOME RENT REVIEW COMMISSION**

Wednesday, September 21, 2011
6:00 P.M. TIME CERTAIN PUBLIC START

**276 FOURTH AVENUE
CITY HALL COUNCIL CHAMBERS**

CALL TO ORDER/ROLL CALL – 6:01 P.M.

PRESENT: Steve Epstein, Rudy Gonzalez, Pat LaPierre, Sam Longanecker, Cesar Padilla, Mitch Thompson

ABSENT: Ramon Riesgo (excused)

STAFF: Stacey Kurz, Senior Project Coordinator
Simon Silva, Deputy City Attorney

1. UPDATE ON BRENTWOOD LITIGATION

Deputy City Attorney Silva provided a brief synopsis of the tentative and final decisions by the San Diego Superior Court, as follows:

Tentative Decision

- Tenants were not indispensable parties.
- MHRRC reviewed but dollar amount of \$45 does not support their decision, rather the increase should have been \$56 to support the MHRRC findings and 9% rate of return.
- No substantial evidence in the record to support the percentage proportion (60/40) for the electrical.
- Current owner not responsible for code violations.

Final Decision

- Ruled fire hydrant and electrical system were not code violations.
 - City asked for consideration of code violation documentation from Loretz (previous owner) litigation/code enforcement violation case which was part of the record and court denied.
- Redeemed decision back to the MHRRC.

The city is appealing the final decision, since the city believes the administrative bodies' decision was supported by the record. The court decision is stayed by the appeal process and therefore no current actions are permitted or required by the park owner or MHRRC.

Chair Padilla inquired if the case came back to the MHRRC if they would have to exclude the two items and recalculate the dollar amount since the court did not stipulate a dollar amount. Attorney Silva replied that he does not think the court's decision is that clear.

Member Epstein asked if the Loretz litigation was between the park owner and residents or city and Attorney Silva replied the litigation was with the city.

Member Thompson asked what the MHRRC would be required to look at and Attorney Silva responded that staff would prepare the record for consideration including the transcripts and how CVMC 9.50 applies.

Member Epstein asked if the city has privately negotiated with the park owner and Attorney Silva replied that the city had not.

2. STAFF COMMENTS

None.

3. MEMBER'S COMMENTS

None.

4. PUBLIC COMMUNICATIONS

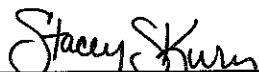
Penny Vaughn, President of Chula Vista Mobilehome Residents Association and GSMOL representative – Ms. Vaughn asked if there was an issue with the recordation of the code violations on the property before and after the new owner purchased and Attorney Silva stated that the court had not looked at that issue.

Chair Padilla announced at 6:35 p.m. that the meeting would now be closed to the public and would be reopened to resume with the agenda at an uncertain time. The closed session item was as follows:

5. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

❖ Brentwood MHP Investors, LLP v. City of Chula Vista, San Diego Superior Court Case No. 37-2010-00079506-CU-WM-SC

6. ADJOURNMENT – Chair Padilla called the meeting back to order, Attorney Silva indicated that there were no reportable outcomes from the closed session, and Chair Padilla immediately adjourned at 7:11 p.m. to the next regularly scheduled meeting of October 20, 2011, if needed.



Recorder, Stacey Kurz

**CITY OF CHULA VISTA
DRAFT MINUTES
MOBILEHOME RENT REVIEW COMMISSION**

Wednesday, January 4, 2012
6:00 P.M. TIME CERTAIN PUBLIC START

**276 FOURTH AVENUE
CITY HALL COUNCIL CHAMBERS**

CALL TO ORDER/ROLL CALL – 6:00 P.M.

PRESENT: Steve Epstein, Rudy Gonzalez, Sam Longanecker, Cesar Padilla, Ramon Riesgo

ABSENT: Pat LaPierre and Mitch Thompson (excused)

STAFF: Stacey Kurz, Senior Project Coordinator
Simon Silva, Deputy City Attorney

1. APPROVAL OF MINUTES

Member Gonzalez moved to table the approval of both the 7/12/11 & 9/21/11 meeting minutes until the next scheduled meeting. Member Longanecker seconded. The motion to table was approved 4-0.

2. STAFF COMMENTS

CVMC 9.50 Administrative Fee Regulations – Staff Kurz indicated that a Resolution to adopt a process to implement the fee was going to be taken to City Council on January 17th. The process identifies how data would be collected and requires significant cooperation by both park owners and residents. Staff will be doing public outreach regarding the data collection in April and taking the final fee to Council for adoption into the Master Fee Schedule in June or July 2012.

3. MEMBER'S COMMENTS

None.

4. PUBLIC COMMUNICATIONS

Penny Vaughn, President of Chula Vista Mobilehome Residents Association and GSMOL representative – Ms. Vaughn asked if the Administrative Fee regulations were going to amend the ordinance (CVMC 9.50) and require a second reading and 30 day period prior to taking effect. Staff Kurz replied indicating that the item going to Council was to adopt a resolution and did not impact the ordinance that was already in effect as of August 18, 2011.

Chair Padilla announced at 6:07 p.m. that the meeting would now be closed to the public and would be reopened to resume with the agenda at an uncertain time. The closed session item was as follows:

5. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

❖ Brentwood MHP Investors, LLP v. City of Chula Vista, San Diego Superior Court Case No. 37-2010-00079506-CU-WM-SC

6. ADJOURNMENT – Chair Padilla called the meeting back to order at 7:00 p.m. Attorney Silva indicated that there were no reportable outcomes from the closed session and that the Supreme Court ordered a rehearing of the Brentwood rent case. He added that a notice of that rehearing would be provided to

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affected residents within a few days. Chair Padilla adjourned at 7:05 p.m. to the next regularly scheduled meeting of January 19, 2012, if needed.



Recorder, Stacey Kurz

The City of Chula Vista Development Services Department
A REPORT TO THE
MOBILEHOME RENT REVIEW COMMISSION

Item No. 2

Staff: Stacey Kurz
Simon Silva

DATE: January 19, 2012

SUBJECT: RENT INCREASE FOR BRENTWOOD MOBILE HOME PARK
CONSIDERATION OF SETTING ASIDE THE \$45/MONTH RENT INCREASE APPROVED BY THE MHRRC ON JULY 15, 2010 AND SETTING NEW RENT INCREASE FOR TWO HUNDRED (200) AFFECTED SPACES OF BRENTWOOD MOBILE HOME PARK, LOCATED AT 1100 INDUSTRIAL BOULEVARD IN CHULA VISTA, IN AN AMOUNT CONSISTENT WITH THE RECORD AND THE SAN DIEGO SUPERIOR COURT'S DECISION IN CASE NO. 37-2010-00079506-CU-WM-SC, INCLUDING STAFF'S RECOMMENDATION OF \$78/MONTH TO BE PHASED IN BY RENT INCREASES OF \$22/MONTH IN 2012 AND \$26/MONTH IN 2013, WITH \$30/MONTH HAVING ALREADY BEEN PAID IN 2010 AND 2011.

I. RECOMMENDATION

It is recommended that the Mobile Home Rent Review Commission ("MHRRC") set aside its prior July 15, 2010 decision approving a rent increase of \$45/month over a three (3) year period (\$15/month in 2010, \$15/month in 2011, and \$15/month in 2012) for space tenants at Brentwood Mobile Home Park and, instead, approve a \$78/month increase phased in over a four (4) year period (\$15/month in 2010, \$15/month in 2011, \$22/month in 2012, and \$26/month in 2013, with the increases set for 2010 and 2011 having already been paid). The recommendation is based upon a review of the San Diego Superior Court's decision in case No. 37-2010-00079506-CU-WM-SC and the Administrative Record ("AR") submitted in that matter.

II. DISCUSSION

On January 31, 2010, the owners of Brentwood Mobile Home Park (the "Park" or "Brentwood") provided the residents of two hundred (200) spaces within the Park, also known as the "affected residents," with written notices of rent increases, in excess of the annual permissive rent increase, for an additional \$96/month over a three (3) year period (\$32/month in Year 1, \$32/month in year 2, and \$32/month in year 3). The applicable annual permissive rent increase on January 31st was -0.6

percent (-0.6%). The Notices of proposed rent increases were provided to residents at the time of their annual renewal of the lease, also known as their anniversary date.

On May 19, June 16, and July 15, 2010, the MHRRC held hearings to review the proposed increase and on October 20, 2010 adopted finding pursuant to a decision on the proposed increases on July 15th to allow the Park to increase the rent to \$45/month over a three (3) year period. (AR 1561-1569.)

The Park filed a petition for writ of administrative mandamus, as amended, pursuant to Code of Civil Procedure Section 1094.5 in San Diego Superior Court case No. 37-2010-00079506-CU-WM-SC (hereafter "Writ"). The Park (referred to as Petitioner in the Writ proceedings) alleged, inter alia, that the MHRRC abused its discretion in setting the rent at \$45/month and argued that substantial evidence did not support MHRRC's decision, including the determination to exclude 60% of the claimed electrical system capital expense. The City opposed the Writ.

After consideration of briefs filed by both parties and oral argument, the San Diego Superior Court granted the Park's Writ. The Superior Court determined that record did not support the MHRRC's findings. The Court explained that the Park requested a \$96/month increase based upon capital expenses and a 9% rate of return. The Court further explained the MHRRC, in reaching its decision, examined the Park's claimed capital expenses. The MHRRC then excluded several of the claimed capital expenses, including the fire system and a percentage of the electrical system, and awarded a \$45/month increase. The Court further noted that the MHRRC did not reduce the 9% rate of return requested. The Court found that the MHRRC, in performing the calculation, incorrectly arrived at a \$45/month rent increase.

The Court, in reaching its decision, examined the claimed electrical and fire systems capital expenses, which formed a large component of the rent calculation. The Court held that there was no substantial evidence to support a 60-40 split on the electrical system capital expense. The Court explained that a park owner was not entitled to consideration for expenses to rectify code violations, but held that the electrical and fire system expenses in the case were not code violation expenses, but "substantial capital expenses." The Court then ordered that the \$45/month rent increase be set aside and that the MHRRC conduct a new hearing consistent with the Court's decision. (A copy of the Superior Court's Decision and Judgment is included as Exhibit 1.)

Accordingly, the MHRRC is required to set aside its prior \$45/month decision. It is also required to conduct a new hearing. While the Court did not order a specific amount to be awarded, the Court did order that the new hearing must be consistent with its decision. In particular, the MHRRC must (1) treat the claimed costs for the electrical and fire hydrant systems as "substantial capital expenses" in the rent calculation; (2) use a rate of return supported by substantial evidence, in this case 9% given the record does not support another amount; and (3) to articulate its reasons for the rate increase, i.e. a description of the methodology used in the calculation of the rent increase and references to the record for its findings. Staff's recommendation is consistent with the Court's order and is based upon substantial evidence, as found in the record.

III. ANALYSIS

Staff has reviewed the Administrative Record ("AR") that was filed in the Writ, consisting of three volumes, and the Court's Decision. City staff recommends that the space rent increase be set at \$78/month, to be implemented by rent increases of \$22/month for 2012 and \$26/month for 2013, with \$30 already having been paid in 2010 and 2011. The recommendation is based on the following discussion.

In its original application before the MHRRC, the Park requested a \$96/month rent increase, phased in over three years, based upon expenses, including capital expenses for the electrical and fire systems, and a 9% rate of return. The claimed expenses totaled \$3,224,585.78. The Park calculated (amortized over 40 years with a 9% rate of return) that \$24,873.21 gross monthly rent was required to recoup those expenses and to obtain a reasonable and fair return on its investment. That amounted to a \$96.40/month per space rent increase. The Court accepted the Park's methodology in calculating the rent space.

Using the aforementioned methodology, considering the administrative record and the Court's decision, the following support's a \$78/month rent increase:

The Park claimed \$3,224,585.78 in expenses and provided documentation and testimony in support thereof. (AR 26-495, 1154.) Chula Vista Municipal Code section 9.50.073(A) (1) (a)-(f) delineates which expenses may be included in determining an appropriate space rent. The following claimed expenses are permitted pursuant to section 9.50.073(A)(1)(a)-(f): (1) Street repair and resurfacing; (2) street light fixtures and poles; (3) block perimeter wall along north side of property; (4) remodel and replaster pool, jacuzzi, and deck area; (5) construct block wall behind pool; replace roof on club house; (6) replace windows in clubhouse; (7) purchase and installation of camera system; (8) club housing painting; (9) install concrete for central mailbox units; (10) repair of city storm drain line; (11) remodel of park office; (12) construction of new laundry and maintenance building; (13) removal of old laundry building; (14) final street repair and resurfacing; (15) and resurfacing of all driveways. (AR 26-495, 1154) In addition, as ordered by the Court and pursuant to Section 9.50.073(A) (1) (e), the electrical system and fire system installation are included as permissible expenses. (AR 26-495, 1154, 1156-1174.)

The following claimed expenses are excludable pursuant to 9.50073(A) (1) (g) (v), in that the Park will receive reimbursement though "any other method": (1) construction of 9 new sites to replace old RV area, in that the Park will receive non-rent controlled rental income from those spaces (AR 1154); and (2) one time initial lease extension payment, in that Park will receive additional rents during the extended lease period (AR 1005).

Using the calculation methodology used by the Court and Park, a \$78/month space rent increase is supported by the record. The claimed expenses totaled \$3,224,585.78. Of the claimed amount, \$2,678,361.78 is permissible ("Permissible Amount") and \$546,224.19 is excludable. Also, the record supports a 9% rate of return. (AR 570, 1035-1041, 1044-1052.) The 9% rate of return was

accepted by the Court and found as undisputed in the record by the court. The Permissible Amount amortized over 40 years with a 9% rate of return amounts to \$20,659.85 per month. That amounts to \$80.08/month per space. Thus, a recommendation of \$78/month is supported by the record. In discussions with the Park, the Park, in an effort to resolve this matter, is willing to accept a \$78/month space rent increase instead of the claimed \$96.40/month or the \$80.08/month pure mathematical calculation discussed above.

The next issue is how to implement the \$78/month rent increase. The Park had been willing to implement its requested \$96.40/month rent increase over a three year period. Thus, to implement the \$78/month rent increase over a three year period, a \$48/month dollar increase would be required in the third year (2012). However, in discussions with the Park, the Park has agreed to add a fourth year to the increase period (provided \$78 is awarded) to lessen the impact to the tenants. Thus, to implement the \$78/month increase, \$22/month would be required in 2012 and \$26/month would be required in 2013. For 2012, the increase would be \$7/month more than the scheduled \$15/month. In 2013, the rent increase would be \$26/month, but had \$78/month been ordered in year 1, then the rent increase would have \$26/month for each of the three years.

In light of the above, it is recommended that the MHRRC approve a \$78/month rent increase, to be phased in by an increase of \$22 in 2012 and \$26 in 2013, with \$30/month having already been paid in 2010 and 2011. The recommended amount is consistent with the Court's order and is supported by the record. The recommendation is made knowing that rent increases in any amount impact tenants, particularly those with fixed or limited incomes. The recommendation sought to follow the law and to lessen the impact to the tenants. In addition, the recommended amount is an amount that the Park finds as acceptable and would conclude the litigation in this matter.

IV. EXHIBITS

1. Decision and Judgment in San Diego Superior Court Case No. 37-2010-00079506-CU-WM-SC
2. Proposed Findings and Decision

FILED
SAN DIEGO SUPERIOR COURT

JUN 07 2011

CLERK OF THE SUPERIOR COURT
BY N. SABLAN

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO, SOUTH COUNTY DIVISION

BRENTWOOD MHP INVESTORS, LLC
dba BRENTWOOD MOBILEHOME
PARK,

Plaintiff and Petitioner,

vs.

CITY OF CHULA VISTA; CITY OF
CHULA VISTA RENT REVIEW
COMMISSION; and DOES 1 through 50,
inclusive,

Defendants and Respondents.

Case No.: 37-2010-00079506-CU-WM-SC

**[PROPOSED] JUDGMENT GRANTING
WRIT OF ADMINISTRATIVE
MANDAMUS**

Hearing Date: May 6, 2011

Department: S-24

Judge: H. Ronald Domnitz

The above-entitled matter came on for hearing on May 6, 2011 in the San Diego Superior Court, Department S-24. C. William Dahlin of Hart, King & Coldren appeared on behalf of Petitioner Brentwood MHP Investors, LLC. Simon Silva appeared as attorney for Respondents.

The record of the administrative hearing was received into evidence and reviewed by the court. No other additional evidence was received. The court, having reviewed the Petition, the Administrative Record, the Points and Authorities submitted by the parties, and having issued a written statement of decision which was signed and filed on May 23, 2011 grants judgment as follows:

1 It is ordered, adjudged and decreed that;

- 2 1. A Peremptory Writ of Administrative Mandamus shall issue from the court.
3 remanding the proceedings to Respondents and commanding Respondents to
4 set-aside the decision of October 20, 2010, to wit, the Administrative Decision
5 found at Pages 1561-1563 of the Administrative Record. Respondents are to
6 reconsider the application of Petitioner in accordance with Code of Civil
7 Procedure Section 1094.5 based upon the evidence presented and set forth
8 within the Administration Record filed with this court.
- 9 2. The writ to issue shall further command Respondents to reconsider the matter
10 in the light of this court's statement of decision and to take such further action
11 as is specially enjoined upon it by law so as to determine and provide
12 Petitioner the rent increase needed for a fair, just and reasonable return in
13 accordance with law and the statement of decision, a true and correct copy of
14 which is attached hereto as Exhibit A.
- 15 3. Petitioner is the prevailing party and shall recover cost in this proceeding as
16 contemplated by the Code of Civil Procedure.

17 Dated: June 7, 2011

WILLIAM A. CANNON

JUDGE OF THE SUPERIOR COURT

DATE: 05/06/2011

TIME: 08:35:00 AM

DEPT: S-04

JUDICIAL OFFICER PRESIDING: H. Ronald Domnitz

CLERK: Vivian Devera

REPORTER/ERM: Not Reported

BAILIFF/COURT ATTENDANT:

CASE NO: 37-2010-00079506-CU-WM-SC CASE INIT.DATE: 09/21/2010

CASE TITLE: Brentwood MHP Investors LLC vs. City Of Chula Vista

CASE CATEGORY: Civil - Unlimited CASE TYPE: Writ of Mandate

EVENT TYPE: Motion Hearing (Civil)

APPEARANCES

The Court, having taken the above-entitled matter under submission on 05/06/2011 and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

Brentwood MHP Investors v. City of Chula Vista

Case No. 37-2010-79506-CU-WM -SC

Petition for Writ of Administrative Mandamus

Having taken the Motion to Grant Petition for Writ of Administrative Mandamus under submission, the court rules as follows: The Petition is GRANTED. Respondent is directed to reconsider and evaluate the evidence in accordance with Chula Vista Municipal Code § 9.50.073.

A. The Tenants Are Not Indispensable Parties

The City argues that petitioner failed to join the tenants as indispensable parties pursuant to Code of Civil Proc. § 389.

In *Pinnacle Holdings, Inc. v. Simon* (1995) 31 Cal.App.4th 1430 a mobilehome park owner challenged the city's refusal to provide a rent increase. The park owner named several tenants along with the city and sought to certify them as class representatives. The court held the tenants were not indispensable parties and chided the park owner for suing them. The fact that the board's decision could "affect" the tenants did not make the tenants indispensable parties. (*Id.* at p. 1436.) The court explained that the tenants were not "proper parties to the cause of action for administrative mandamus under Code of Civil Procedure section 1094.5 since that action is directed to a final administrative order or decision." (*Id.* at

p. 1436.) Moreover, the fact that the park owner requested no relief from the tenants nor could the tenants grant any relief was dispositive. (*Id.* at p. 1437.) " [I]t is fundamental that a person should not be compelled to defend himself in a lawsuit when no relief is sought against him." (*Duffey v. Superior Court* (1992) 3 Cal.App.4th 425, 429.)" (*Ibid.*)

Here too petitioner is seeking relief against the city only. While the tenants will be adversely affected if the petition is granted and if the Rent Review Commission approves a further increase in rent, petitioner does not and cannot seek relief from the tenants directly. The city notes that petitioner includes a prayer for monetary damages and that the petitioner filed a Govt. Tort Claim. However, that relief is also sought against the city, not the tenants. Consequently, the petition is not subject to dismissal for failure to timely join the tenants as indispensable parties.

B. Whether Substantial Evidence Supports the Commission's Findings

Judicial review of an administrative rent control decision is governed by the substantial evidence standard, i.e., the trial court must review the whole administrative record to determine whether the findings are supported by substantial evidence and whether the agency committed any errors of law. (*MHC Operating Limited Partnership v. City of San Jose* (2003) 106 Cal.App.4th 204, 218.) While an agency's interpretation or application of an ordinance is a question of law for the court's independent review, an agency's interpretation of an ordinance is given considerable deference and must be upheld absent evidence the interpretation lacks a reasonable foundation. (*Id.* at pp. 219-220.)

"Price controls on rent are within the City's police power if they are reasonably calculated both to eliminate excessive rents and to provide the owner with a "just and reasonable" return on its property. (*Birkenfeld v. City of Berkeley* (1976) 17 Cal.3d 129, 165." (*Concord Communities, L.P. v. City of Concord* (2001) 91 Cal.App.4th 1407, 1414.) A just and reasonable rate of return "must be high enough to encourage good management including adequate maintenance of services, to furnish a reward for efficiency, to discourage the flight of capital from the rental housing market, and to enable operators to maintain and support their credit. A just and reasonable return is one which is generally commensurate with returns on investments in other enterprises having corresponding risks. On the other hand, it is also one which is not so high as to defeat the purposes of rent control nor permit landlords to demand of tenants more than the fair value of the property and services which are provided." (*Oceanside Mobilehome Park Owners' Assn. v. City of Oceanside* (1984) 157 Cal.App.3d 887, 907.)

Constitutional provisions "do not require that rent control ordinances allow landlords to recover all increases in their operating expenses; they require only that the landlord be permitted to obtain a just and reasonable return. (*Oceanside Mobilehome Park Owners' Assn. v. City of Oceanside* (1984) 157 Cal.App.3d 887, 907, quoting *Brunetti v. Borough of New Milford* (N.J. 1975) 350 A.2d 19, 30.)

The City's Mobilehome Park Space Rent Review ordinance is intended to "protect both mobilehome park owners and mobilehome park residents from excessive and unconscionable rent increases while simultaneously recognizing and providing for the need of mobilehome park owners to receive a just and reasonable return on their property." (Chula Vista Municipal Code § 9.50.005.) To that end, the City enacted section 9.50.073 which specifies the factors the mobilehome rent review commission must consider in fixing space rent. The ordinance provides,

"If a proposed rental increase is submitted to the mobilehome rent review commission ("commission") pursuant to the provisions of this chapter, the commission shall determine the rent that is fair, just and reasonable, and, in doing so, shall consider the factors listed below. The commission has the authority to request information and/or documentation related to these factors that will assist them in making such determination. The community development department and/or their designee shall review all evidence

to be presented to the commission for their consideration. The commission's decision shall be based on the preponderance of the evidence at the hearing. The commission shall consider the following factors:

A. The need for the proposed rental increase in order to permit the owner to secure a fair and reasonable return, when considering the existing rental scheme for all spaces in the park and all existing or expected expenses in owning and operating the park. A fair and reasonable return may be determined by the commission by reference to industry standards, risk of investment, or other acceptable standards.

1. In considering the existing or expected expenses in owning and operating the park in following prudent business practices, the commission should consider the following or any similar or related items of expense, the reasonableness of such items, and changes to them:

a. Actual financial investment in park improvements.

b. Property or other taxes.

c. Mortgage or ground rent payments.

d. Utility costs.

e. Capital improvements or rehabilitation work.

f. Repairs required.

g. Other operating and maintenance costs. Operating costs shall not include the following:

i. Avoidable and unnecessary expenses, including refinancing costs;

ii. Any penalty, fees or other interest assessed or awarded for violation of this or any other law;

iii. Legal fees, except legal fees incurred in connection with successful good-faith attempts to recover rents owing, and successful good-faith unlawful detainer actions not in derogation of applicable law, to the extent same are not recovered from residents;

iv. Depreciation of the property;

v. Any expense for which the park owner has been reimbursed by any security deposit, insurance settlement, judgment for damages, settlement or any other method. Cost of replacement or repair incurred or necessary as a result of the park owner's negligence or failure to maintain, including costs to correct serious code violations at the park.

2. In considering the existing or expected income from owning and operating the park, the commission should consider the rent schedule for all spaces in the park and any similar or related items verifying income for the mobilehome park for the last three years, the reasonableness of such items, and changes to them.

B. Rate of return earned by the park owner in previous years as determined by a fair market appraisal conducted by a Member Appraisal Institute (MAI) appraiser. The city, as well as the park owner, shall have the right to hire their own independent MAI appraiser.

C. The extent to which the proposed rental increase will cause a reduction in the resale value of the mobilehome.

D. Changes in the Consumer Price Index for all urban consumers in the San Diego Metropolitan Area published by the Bureau of Labor Statistics.

E. Fair market rental value as determined by "comparables" of similar and existing mobilehome spaces or mobilehomes in the South Bay area of San Diego County, including those in Chula Vista, as determined by an MAI appraiser. The city, as well as the park owner, shall have the right to hire their own independent MAI appraiser.

F. The timing and amount of rents and increases for this and other spaces at the mobilehome park.

G. The quantity and quality of the improvements and features at the mobilehome park and any decrease or increase in such improvements and features.

H. The quantity and quality of services offered to park residents and any decrease or increase in such improvements and features. (Ord. 2862 § 1, 2002)."

The park owner requested a rent increase of \$96 per month per space, to be phased in over three years at \$32.00 per year. The application was based on \$2,365,535.78 paid out for completed capital

expenditures, \$409,050.00 in projects to be completed, and \$450,000 for a one time payment to extend the lease through 2049. The owner requested a 9% rate of return, amortized over 40 years. (AR 1154)

The City's Rent Review Commission approved an increase of \$45 per month phased in over three years. The commission disallowed 40% of the cost to replace the electrical system, and disallowed all the expenses for installing a fire hydrant system, constructing nine new sites, and the extension of the ground lease. (AR 1562.) After the deductions, the commission allowed \$1,455,150.81.

The owner argues the commission did not discuss the rate of return. The court has reviewed the entire administrative record and concludes that while the commission did not explicitly state whether the 9% rate of return requested by the owner was reasonable, the methodology the commission used to determine the rent the commission impliedly adopted a 9% rate of return. The owner's request for a \$96 increase in monthly rent included a 9% rate of return. The commission purported to disallow certain line item expenditures but they did not reduce the rate of return requested. The intent appears to be, for example, to approve half the rent increase if only half the expenses were approved. (AR 1527-1531.) The end result would include a 9% rate of return for the capital expenses that were approved.

Nonetheless, the decision to allow a \$45 rent increase is not supported by substantial evidence. The City's counsel is in the unenviable position of having to defend the commission which did not heed his and staff's advice. Some concern was expressed regarding the difficult state of the economy and the tenants' ability to pay. (AR 1510-1515.) As staff counsel advised, "the number that has to be chosen just really can't be speculative. It has to be based on the factors that were ... listed in the Municipal Code." (AR 1505) See also AR 1519-1520 ("So you have to limit yourselves to what these factors that are listed in the Code") and AR 1471-1472.

By far the largest expense, and the item that most concerned the commission, was the \$1,450,095.99 spent to replace the antiquated 30 and 50 amp system with a 100 amp system. The findings allowed only 40% of the cost for the electrical system upgrade/replacement on the grounds that the owner replaced the entire system rather than simply upgrading it, and the replacement was required because of serious code violations and was therefore not recoverable under section 9.50.073(A)(g)(v).

There is no substantial evidence in the record to support a finding that only 40% of the cost should be allowed as opposed to some other amount. The only justification given for the 60-40 allocation was the owner would recover their cost via a utility adjustment from the PUC. (AR 1528-1531) However, the evidence in the record is that the rate differential (submeter discount) the owner receives from SDG&E covers maintenance costs of the system, not the cost to replace and substantially upgrade the electrical system as the owner did here. (AR 1466; McCann decl. at AR 1156, 1162.) The capital cost the owner sought to recoup for the electrical system did not include monies the owner would recover under the submeter discount. (AR 1162, 1495-1496).

Even if the City's rationale for the deductions were appropriate, mathematically the results do not add up. Because the City allowed approximately 45% of the expenses, it argues the allowable rent is 45% of the \$96 that was requested, which is approximately \$43. (As an aside, there is no discussion in the record showing the commission made such a calculation.) However, the court can take judicial notice that the gross monthly rent needed to recapture the allowable expenditures of \$1,455,150.81, amortized over 40 years, with a 9% interest/rate of return is \$11,224. With 200 units, the monthly increase would be \$56.12 per unit. The City's calculations do not support the commission's result.

There is no doubt that a park owner is not entitled to consideration for expenses to rectify code

violations. However, in this case, the fire hydrant system and the new electrical system were not code violation expenses but rather substantial capital expenses related to the installation of new systems to address code requirements imposed subsequent to the park's construction. Likewise, were the park to have opened with a code-approved septic system and years later the City required a complex sewer system at the park's expense, it appears as though the park should be compensated for such an expenditure. The City would hard-pressed to argue that it was merely a waste management code violation expense which is not compensable, as opposed to a capital improvement.

Thus, to the extent that the park may have been denied consideration for all or some of the capital improvement costs as they relate to the electrical and fire hydrant systems, the Board is to reconsider its decision. In any event, it is unclear on what basis the Board arrived at the rent increase. The court is not mandating any specific result but rather is ordering the Board to reconsider its action and articulate its reasons for any increase and the weight given to the capital improvements discussed above as well as all other relevant factors.

For the foregoing reasons, the matter must be remanded to the commission to reconsider the evidence presented and to determine a rent that is fair, just and reasonable in accordance with Chula Vista Municipal Code § 9.50.073.

The minutes are the order of the Court. No formal order is required.

**FINDINGS AND DECISION WITH REGARD TO
BRENTWOOD MOBILEHOME PARK
REQUEST FOR RENT INCREASE**

The Mobilehome Rent Review Commission (the "Commission") heard and considered testimony and evidence at a public hearing on January 19, 2012, regarding proposed space rent increases for certain residents of Brentwood Mobile Home Park (the "Park"), as set forth in the Notices included in the related Administrative Record. The Commission considered the following:

1. Testimony and documents submitted by the owner of the Park ("Park Owner"). All documents and testimony were admitted.
2. Testimony and documentation submitted by the affected residents ("Affected Residents"), other residents of the Park and other members of the public. All documents and testimony were admitted.
3. Documentation and recommendations submitted by City staff ("City Staff"), which were contained in the City Staff's "Report to the Mobilehome Rent Review Commission," in connection with this matter. All documents and testimony were admitted.
4. The Administrative Record ("AR") filed in Brentwood MHP v. City of Chula Vista, et. al, in San Diego Superior Court case No. 37-2010-00079506-CU-WM-SC, which consisted of three volumes.
5. The San Diego Superior Court's Judgment and Decision in Brentwood MHP v. City of Chula Vista, et. al, in Superior Court case No. 37-2010-00079506-CU-WM-SC.

Having heard and considered all of the above, the Commission finds as follows:

1. The San Diego Superior Court's in Brentwood MHP v. City of Chula Vista, et. al, (Superior Court case No. 37-2010-00079506-CU-WM-SC) has ordered that the Commission's prior July 15, 2010 decision to approve a \$45/month rent increase be set aside and that the Commission conduct a new hearing consistent with the Court's decision. The Mission has complied with the Court's order in the aforementioned case.
2. On January 31, 2010, the owner of Brentwood Mobile Home Park, Brentwood MHC Investors, Inc., ("Park Owner") issued Notices of space rent increase, in excess of the annual permissive rent increase, affecting two hundred (200) residents.
3. As to the Notices, the Park Owner complied with the noticing and procedural requirements contained in Municipal Code Chapter 9.50, in order to increase space rents in excess of the Annual Permissive Rent Increase. Each of the three Notices seeks to increase the space rent above the annual permissive rent increase, -0.6 percent at time of noticing.
4. At least one resident affected by the Notice complied ("Affected Residents") with the procedural requirements of Chapter 9.50 to initiate a rent review hearing by the Mobilehome Rent Review

Commission.

5. The City provided the Park Owner and the Affected Residents with adequate notice that the Commission would consider the Requests for Hearing relative to the two hundred (200) spaces affected by the Notices, at its meeting on January 19, 2012.

6. The Park Owner, in support of its request, has submitted documentation and testimony regarding expenses that totaled \$3,224,585.58. (AR 26-495, 1154.)

7. A review of the expenses submitted by the Park Owner show that the following are permissible expenses within the meaning of Chula Vista Municipal Code section 9.50.073(a)(1)(a)-(f): (1) Street repair and resurfacing; (2) street light fixtures and poles; (3) block perimeter wall along north side of property; (4) remodel and replaster pool, jacuzzi, and deck area; (5) construct block wall behind pool; replace roof on club house; (6) replace windows in clubhouse; (7) purchase and installation of camera system; (8) club housing painting; (9) install concrete for central mailbox units; (10) repair of city storm drain line; (11) remodel of park office; (12) construction of new laundry and maintenance building; (13) removal of old laundry building; (14) final street repair and resurfacing; (15) and resurfacing of all driveways. (AR 26-495, 1154) In addition, as ordered by the Court and pursuant to Section 9.50.073(A) (1) (e), the electrical system and fire system installation are included as permissible expenses. (AR 26-495, 1154, 1156-1174.) These expenses total \$2,678,361.78.

8. A review of the claimed expenses submitted by the Park Owner also show that the following are not permissible expenses within the meaning of 9.50.073(A) (1) (g) (v), in that the Park will receive reimbursement though "any other method": (1) construction of 9 new sites to replace old RV area, in that the Park will receive non-rent controlled rental income from those spaces (AR 1154); and (2) one time initial lease extension payment, in that Park will receive additional rents during the extended lease period (AR 1005). These expenses total \$546,224.19.

9. The record supports a 9% rate of return. Dr. Neet, an expert MAI appraiser, testified and submitted documents to support a 9% rate of return. (AR 570, 1035-1041, 1044-1052.)

10. The Park Owner submitted their request based upon expenses that were amortized over a 40-year period with a 9% rate of return. The Superior Court used the same methodology in examining the MHRRC's prior decision. Accordingly, the Commission will use that methodology. The Park Owner claimed expenses that totaled \$3,224,585.78. Of the claimed amounts, for the reasons set forth above, \$2,678,361.78 is permissible ("Permissible Amount") and \$546,224.19 is excludable. The Permissible Amount amortized over 40 years with a 9% rate of return amounts to \$20,659.85 per month. That amounts to \$80.08/month per space.

11. Staff has advised that, in discussions with the Park Owner, the Park Owner, in an effort to resolve this matter, is willing to accept a \$78/month space rent increase instead of the claimed \$96.40/month or the \$80.08/month pure mathematical calculation discussed above.

12. Staff has also advised that, in discussions with the Park Owner, the Park Owner has agreed to add a fourth year to the increase period (provided \$78 is awarded) to lessen the impact to the tenants. Thus, to implement the \$78/month increase the Park Owner agrees that \$22/month be required in 2012 and \$26/month be required in 2013, with \$30 having already been paid in 2010 and 2011.

Accordingly, as ordered by the San Diego Superior Court, the Commission hereby orders that its July 15, 2010 decision to approve a rent increase in the amount of \$45/month is set aside. The Commission, based upon the above and consistent with the San Diego Superior Court's order, hereby approves a rent increase for affected residents with Brentwood Mobile Home Park, which are the subject of this hearing, in the amount of \$78/month, with an increase of \$22/month in 2012 and \$26/month in 2013, with \$30/month having already been paid in 2010 and 2011. The approved rent increases and effective dates are as reflected on the following Table 1.

Notice is further given that judicial review of this decision may be had and in accordance with the time frames pursuant to Code of Civil Procedure sections 1094.5 and 1094.6. This decision becomes final on the date that it is executed by the Chair of the Mobile Home Rent Review Commission.

By: _____
Chair
Mobile Home Rent Review Commission

Date: _____

TABLE 1 - BRENTWOOD APPROVED RENT INCREASES (1/19/12) -

Increases do not include applicable annual permissive CPI or apply if lease terms have changed since July 15, 2010 decision

Space No.	Effective Date / Anniversary	Rent as of 3/1/10	2010			2011			2012			2013		
			APPROVED RENT	APPROVED \$ INCREASE	APPROVED % INCREASE	APPROVED RENT	APPROVED \$ INCREASE	APPROVED % INCREASE	APPROVED RENT	APPROVED \$ INCREASE	APPROVED % INCREASE	APPROVED RENT	APPROVED \$ INCREASE	APPROVED % INCREASE
A10	May	\$ 550.71	\$ 566.71	\$ 15.00	2.7%	\$ 580.71	\$ 15.00	2.7%	\$ 602.71	\$ 22.00	3.8%	\$ 628.71	\$ 26.00	4.3%
A2	May	\$ 541.35	\$ 566.35	\$ 15.00	2.8%	\$ 571.35	\$ 15.00	2.7%	\$ 593.35	\$ 22.00	3.9%	\$ 619.35	\$ 26.00	4.4%
A4	May	\$ 584.01	\$ 599.01	\$ 15.00	2.6%	\$ 614.01	\$ 15.00	2.5%	\$ 636.01	\$ 22.00	3.6%	\$ 662.01	\$ 26.00	4.1%
A8	May	\$ 537.45	\$ 552.45	\$ 15.00	2.8%	\$ 567.45	\$ 15.00	2.7%	\$ 589.45	\$ 22.00	3.9%	\$ 615.45	\$ 26.00	4.4%
B1	May	\$ 509.57	\$ 524.57	\$ 15.00	2.9%	\$ 539.57	\$ 15.00	2.9%	\$ 561.57	\$ 22.00	4.1%	\$ 587.57	\$ 26.00	4.6%
B10	May	\$ 522.57	\$ 537.57	\$ 15.00	2.9%	\$ 552.57	\$ 15.00	2.8%	\$ 574.57	\$ 22.00	4.0%	\$ 600.57	\$ 26.00	4.5%
B11	May	\$ 530.79	\$ 545.79	\$ 15.00	2.8%	\$ 550.79	\$ 15.00	2.7%	\$ 582.79	\$ 22.00	3.9%	\$ 608.79	\$ 26.00	4.5%
B15	May	\$ 514.34	\$ 529.34	\$ 15.00	2.9%	\$ 544.34	\$ 15.00	2.8%	\$ 566.34	\$ 22.00	4.0%	\$ 592.34	\$ 26.00	4.6%
B16	May	\$ 548.14	\$ 563.14	\$ 15.00	2.7%	\$ 578.14	\$ 15.00	2.7%	\$ 600.14	\$ 22.00	3.8%	\$ 626.14	\$ 26.00	4.3%
B18	May	\$ 607.38	\$ 622.38	\$ 15.00	2.5%	\$ 637.38	\$ 15.00	2.4%	\$ 659.38	\$ 22.00	3.5%	\$ 685.38	\$ 26.00	3.9%
B19	May	\$ 455.86	\$ 470.86	\$ 15.00	3.3%	\$ 485.86	\$ 15.00	3.2%	\$ 507.86	\$ 22.00	4.5%	\$ 533.86	\$ 26.00	5.1%
B20	May	\$ 485.75	\$ 500.75	\$ 15.00	3.1%	\$ 515.75	\$ 15.00	3.0%	\$ 537.75	\$ 22.00	4.3%	\$ 563.75	\$ 26.00	4.8%
B23	May	\$ 550.71	\$ 565.71	\$ 15.00	2.7%	\$ 580.71	\$ 15.00	2.7%	\$ 602.71	\$ 22.00	3.8%	\$ 628.71	\$ 26.00	4.3%
B24	May	\$ 530.48	\$ 545.48	\$ 15.00	2.8%	\$ 560.48	\$ 15.00	2.7%	\$ 582.48	\$ 22.00	3.9%	\$ 608.48	\$ 26.00	4.5%
B26	May	\$ 552.76	\$ 567.76	\$ 15.00	2.7%	\$ 582.76	\$ 15.00	2.6%	\$ 604.76	\$ 22.00	3.8%	\$ 630.76	\$ 26.00	4.3%
B28	May	\$ 512.85	\$ 527.85	\$ 15.00	2.9%	\$ 542.85	\$ 15.00	2.8%	\$ 564.85	\$ 22.00	4.1%	\$ 590.85	\$ 26.00	4.6%
B30	May	\$ 583.99	\$ 598.99	\$ 15.00	2.6%	\$ 613.99	\$ 15.00	2.5%	\$ 635.99	\$ 22.00	3.6%	\$ 661.99	\$ 26.00	4.1%
B31	May	\$ 509.56	\$ 524.56	\$ 15.00	2.9%	\$ 539.56	\$ 15.00	2.9%	\$ 561.56	\$ 22.00	4.1%	\$ 587.56	\$ 26.00	4.6%
B4	May	\$ 544.06	\$ 559.06	\$ 15.00	2.8%	\$ 574.06	\$ 15.00	2.7%	\$ 596.06	\$ 22.00	3.8%	\$ 622.06	\$ 26.00	4.4%
B7	May	\$ 539.80	\$ 554.80	\$ 15.00	2.8%	\$ 569.80	\$ 15.00	2.7%	\$ 591.80	\$ 22.00	3.9%	\$ 617.80	\$ 26.00	4.4%
B8	May	\$ 538.22	\$ 553.22	\$ 15.00	2.8%	\$ 568.22	\$ 15.00	2.7%	\$ 590.22	\$ 22.00	3.9%	\$ 616.22	\$ 26.00	4.4%
C1	May	\$ 508.44	\$ 523.44	\$ 15.00	3.0%	\$ 538.44	\$ 15.00	2.9%	\$ 560.44	\$ 22.00	4.1%	\$ 586.44	\$ 26.00	4.6%
C10	May	\$ 583.85	\$ 598.85	\$ 15.00	2.6%	\$ 613.85	\$ 15.00	2.5%	\$ 635.85	\$ 22.00	3.6%	\$ 661.85	\$ 26.00	4.1%
C12	May	\$ 552.75	\$ 567.75	\$ 15.00	2.7%	\$ 582.75	\$ 15.00	2.6%	\$ 604.75	\$ 22.00	3.8%	\$ 630.75	\$ 26.00	4.3%
C14	May	\$ 534.55	\$ 549.55	\$ 15.00	2.8%	\$ 564.55	\$ 15.00	2.7%	\$ 586.55	\$ 22.00	3.9%	\$ 612.55	\$ 26.00	4.4%
C15	May	\$ 543.41	\$ 558.41	\$ 15.00	2.8%	\$ 573.41	\$ 15.00	2.7%	\$ 595.41	\$ 22.00	3.8%	\$ 621.41	\$ 26.00	4.4%
C16	May	\$ 551.79	\$ 566.79	\$ 15.00	2.7%	\$ 581.79	\$ 15.00	2.6%	\$ 603.79	\$ 22.00	3.8%	\$ 629.79	\$ 26.00	4.3%
C2	May	\$ 543.61	\$ 558.61	\$ 15.00	2.8%	\$ 573.61	\$ 15.00	2.7%	\$ 595.61	\$ 22.00	3.8%	\$ 621.61	\$ 26.00	4.4%
C20	May	\$ 534.07	\$ 549.07	\$ 15.00	2.8%	\$ 564.07	\$ 15.00	2.7%	\$ 586.07	\$ 22.00	3.9%	\$ 612.07	\$ 26.00	4.4%
C22	May	\$ 560.84	\$ 575.84	\$ 15.00	2.7%	\$ 590.84	\$ 15.00	2.6%	\$ 612.84	\$ 22.00	3.7%	\$ 638.84	\$ 26.00	4.2%
C24	May	\$ 547.43	\$ 562.43	\$ 15.00	2.7%	\$ 577.43	\$ 15.00	2.7%	\$ 599.43	\$ 22.00	3.8%	\$ 625.43	\$ 26.00	4.3%
C25	May	\$ 510.50	\$ 525.50	\$ 15.00	2.9%	\$ 540.50	\$ 15.00	2.9%	\$ 562.50	\$ 22.00	4.1%	\$ 588.50	\$ 26.00	4.6%
C26	May	\$ 558.44	\$ 573.44	\$ 15.00	2.7%	\$ 588.44	\$ 15.00	2.6%	\$ 610.44	\$ 22.00	3.7%	\$ 636.44	\$ 26.00	4.3%
C27	May	\$ 544.36	\$ 559.36	\$ 15.00	2.8%	\$ 574.36	\$ 15.00	2.7%	\$ 596.36	\$ 22.00	3.8%	\$ 622.36	\$ 26.00	4.4%
C29	May	\$ 545.85	\$ 560.85	\$ 15.00	2.7%	\$ 575.85	\$ 15.00	2.7%	\$ 597.85	\$ 22.00	3.8%	\$ 623.85	\$ 26.00	4.3%
C30	May	\$ 575.50	\$ 590.50	\$ 15.00	2.6%	\$ 605.50	\$ 15.00	2.5%	\$ 627.50	\$ 22.00	3.6%	\$ 663.50	\$ 26.00	4.1%
C31	May	\$ 541.35	\$ 556.35	\$ 15.00	2.8%	\$ 571.35	\$ 15.00	2.7%	\$ 593.35	\$ 22.00	3.9%	\$ 619.35	\$ 26.00	4.4%
C34	May	\$ 496.95	\$ 511.95	\$ 15.00	3.0%	\$ 526.95	\$ 15.00	2.9%	\$ 548.95	\$ 22.00	4.2%	\$ 574.95	\$ 26.00	4.7%
C35	May	\$ 535.55	\$ 550.55	\$ 15.00	2.8%	\$ 565.55	\$ 15.00	2.7%	\$ 587.55	\$ 22.00	3.9%	\$ 613.55	\$ 26.00	4.4%
C36	May	\$ 540.34	\$ 555.34	\$ 15.00	2.8%	\$ 570.34	\$ 15.00	2.7%	\$ 592.34	\$ 22.00	3.9%	\$ 618.34	\$ 26.00	4.4%
C37	May	\$ 518.56	\$ 533.56	\$ 15.00	2.9%	\$ 548.56	\$ 15.00	2.8%	\$ 570.56	\$ 22.00	4.0%	\$ 596.56	\$ 26.00	4.6%
C38	May	\$ 501.44	\$ 516.44	\$ 15.00	3.0%	\$ 531.44	\$ 15.00	2.9%	\$ 553.44	\$ 22.00	4.1%	\$ 579.44	\$ 26.00	4.7%
C4	May	\$ 504.04	\$ 519.04	\$ 15.00	3.0%	\$ 534.04	\$ 15.00	2.9%	\$ 556.04	\$ 22.00	4.1%	\$ 582.04	\$ 26.00	4.7%
C40	May	\$ 501.12	\$ 516.12	\$ 15.00	3.0%	\$ 531.12	\$ 15.00	2.9%	\$ 553.12	\$ 22.00	4.1%	\$ 579.12	\$ 26.00	4.7%
C8	May	\$ 538.47	\$ 553.47	\$ 15.00	2.8%	\$ 568.47	\$ 15.00	2.7%	\$ 590.47	\$ 22.00	3.9%	\$ 616.47	\$ 26.00	4.4%
C9	May	\$ 521.35	\$ 536.35	\$ 15.00	2.9%	\$ 551.35	\$ 15.00	2.8%	\$ 573.35	\$ 22.00	4.0%	\$ 599.35	\$ 26.00	4.5%
D1	May	\$ 504.58	\$ 519.58	\$ 15.00	3.0%	\$ 534.58	\$ 15.00	2.9%	\$ 556.58	\$ 22.00	4.1%	\$ 582.58	\$ 26.00	4.7%
D10	May	\$ 528.44	\$ 543.44	\$ 15.00	2.8%	\$ 558.44	\$ 15.00	2.8%	\$ 580.44	\$ 22.00	3.9%	\$ 606.44	\$ 26.00	4.5%

TABLE 1 - BRENTWOOD APPROVED RENT INCREASES (1/19/12) -

Increases do not include applicable annual permissive CPI or apply if lease terms have changed since July 15, 2010 decision

Space No.	Effective Date / Anniversary	Rent as of 3/1/10	2010 APPROVED RENT	2010 APPROVED \$ INCREASE	2010 APPROVED % INCREASE	2011 APPROVED RENT	2011 APPROVED \$ INCREASE	2011 APPROVED % INCREASE	2012 APPROVED RENT	2012 APPROVED \$ INCREASE	2012 APPROVED % INCREASE	2013 APPROVED RENT	2013 APPROVED \$ INCREASE	2013 APPROVED % INCREASE
D12	May	\$ 521.83	\$ 536.83	\$ 15.00	2.9%	\$ 551.83	\$ 15.00	2.8%	\$ 573.83	\$ 22.00	4.0%	\$ 599.83	\$ 26.00	4.5%
D14	May	\$ 483.40	\$ 498.40	\$ 15.00	3.1%	\$ 513.40	\$ 15.00	3.0%	\$ 535.40	\$ 22.00	4.3%	\$ 561.40	\$ 26.00	4.9%
D15	May	\$ 518.69	\$ 533.69	\$ 15.00	2.9%	\$ 548.69	\$ 15.00	2.8%	\$ 570.69	\$ 22.00	4.0%	\$ 596.69	\$ 26.00	4.6%
D17	May	\$ 533.55	\$ 548.55	\$ 15.00	2.8%	\$ 563.55	\$ 15.00	2.7%	\$ 585.55	\$ 22.00	3.9%	\$ 611.55	\$ 26.00	4.4%
D18	May	\$ 593.73	\$ 608.73	\$ 15.00	2.5%	\$ 623.73	\$ 15.00	2.5%	\$ 645.73	\$ 22.00	3.5%	\$ 671.73	\$ 26.00	4.0%
D19	May	\$ 532.34	\$ 547.34	\$ 15.00	2.8%	\$ 562.34	\$ 15.00	2.7%	\$ 584.34	\$ 22.00	3.9%	\$ 610.34	\$ 26.00	4.4%
D2	May	\$ 550.57	\$ 565.57	\$ 15.00	2.7%	\$ 580.57	\$ 15.00	2.7%	\$ 602.57	\$ 22.00	3.8%	\$ 628.57	\$ 26.00	4.3%
D20	May	\$ 545.13	\$ 560.13	\$ 15.00	2.8%	\$ 575.13	\$ 15.00	2.7%	\$ 597.13	\$ 22.00	3.8%	\$ 623.13	\$ 26.00	4.4%
D21	May	\$ 555.90	\$ 570.90	\$ 15.00	2.7%	\$ 585.90	\$ 15.00	2.6%	\$ 607.90	\$ 22.00	3.8%	\$ 633.90	\$ 26.00	4.3%
D22	May	\$ 500.25	\$ 515.25	\$ 15.00	3.0%	\$ 530.25	\$ 15.00	2.9%	\$ 552.25	\$ 22.00	4.1%	\$ 578.25	\$ 26.00	4.7%
D23	May	\$ 519.24	\$ 534.24	\$ 15.00	2.9%	\$ 549.24	\$ 15.00	2.8%	\$ 571.24	\$ 22.00	4.0%	\$ 597.24	\$ 26.00	4.6%
D24	May	\$ 548.39	\$ 563.39	\$ 15.00	2.7%	\$ 578.39	\$ 15.00	2.7%	\$ 600.39	\$ 22.00	3.8%	\$ 626.39	\$ 26.00	4.3%
D26	May	\$ 479.62	\$ 494.62	\$ 15.00	3.1%	\$ 509.62	\$ 15.00	3.0%	\$ 531.62	\$ 22.00	4.3%	\$ 557.62	\$ 26.00	4.9%
D28	May	\$ 434.93	\$ 449.93	\$ 15.00	3.4%	\$ 464.93	\$ 15.00	3.3%	\$ 486.93	\$ 22.00	4.7%	\$ 512.93	\$ 26.00	5.3%
D3	May	\$ 550.57	\$ 565.57	\$ 15.00	2.7%	\$ 580.57	\$ 15.00	2.7%	\$ 602.57	\$ 22.00	3.8%	\$ 628.57	\$ 26.00	4.3%
D30	May	\$ 554.40	\$ 569.40	\$ 15.00	2.7%	\$ 584.40	\$ 15.00	2.6%	\$ 606.40	\$ 22.00	3.8%	\$ 632.40	\$ 26.00	4.3%
D31	May	\$ 486.86	\$ 501.86	\$ 15.00	3.1%	\$ 516.86	\$ 15.00	3.0%	\$ 538.86	\$ 22.00	4.3%	\$ 564.86	\$ 26.00	4.8%
D32	May	\$ 537.09	\$ 552.09	\$ 15.00	2.8%	\$ 567.09	\$ 15.00	2.7%	\$ 589.09	\$ 22.00	3.9%	\$ 615.09	\$ 26.00	4.4%
D33	May	\$ 518.47	\$ 533.47	\$ 15.00	2.9%	\$ 548.47	\$ 15.00	2.8%	\$ 570.47	\$ 22.00	4.0%	\$ 596.47	\$ 26.00	4.6%
D34	May	\$ 522.08	\$ 537.08	\$ 15.00	2.9%	\$ 552.08	\$ 15.00	2.8%	\$ 574.08	\$ 22.00	4.0%	\$ 600.08	\$ 26.00	4.5%
D36	May	\$ 554.40	\$ 569.40	\$ 15.00	2.7%	\$ 584.40	\$ 15.00	2.6%	\$ 606.40	\$ 22.00	3.8%	\$ 632.40	\$ 26.00	4.3%
D37	May	\$ 534.48	\$ 549.48	\$ 15.00	2.8%	\$ 564.48	\$ 15.00	2.7%	\$ 586.48	\$ 22.00	3.9%	\$ 612.48	\$ 26.00	4.4%
D38	May	\$ 514.13	\$ 529.13	\$ 15.00	2.9%	\$ 544.13	\$ 15.00	2.8%	\$ 566.13	\$ 22.00	4.0%	\$ 592.13	\$ 26.00	4.6%
D40	May	\$ 537.67	\$ 552.67	\$ 15.00	2.8%	\$ 567.67	\$ 15.00	2.7%	\$ 589.67	\$ 22.00	3.9%	\$ 615.67	\$ 26.00	4.4%
D43	May	\$ 526.13	\$ 541.13	\$ 15.00	2.9%	\$ 556.13	\$ 15.00	2.8%	\$ 578.13	\$ 22.00	4.0%	\$ 604.13	\$ 26.00	4.5%
D44	May	\$ 555.44	\$ 570.44	\$ 15.00	2.7%	\$ 585.44	\$ 15.00	2.6%	\$ 607.44	\$ 22.00	3.8%	\$ 633.44	\$ 26.00	4.3%
D45	May	\$ 520.02	\$ 535.02	\$ 15.00	2.9%	\$ 550.02	\$ 15.00	2.8%	\$ 572.02	\$ 22.00	4.0%	\$ 598.02	\$ 26.00	4.5%
D47	May	\$ 552.09	\$ 567.09	\$ 15.00	2.7%	\$ 582.09	\$ 15.00	2.6%	\$ 604.09	\$ 22.00	3.8%	\$ 630.09	\$ 26.00	4.3%
D7	May	\$ 488.56	\$ 513.56	\$ 15.00	3.0%	\$ 528.56	\$ 15.00	2.9%	\$ 550.56	\$ 22.00	4.2%	\$ 576.56	\$ 26.00	4.7%
E1	May	\$ 568.41	\$ 583.41	\$ 15.00	2.6%	\$ 598.41	\$ 15.00	2.6%	\$ 620.41	\$ 22.00	3.7%	\$ 646.41	\$ 26.00	4.2%
E11	May	\$ 504.00	\$ 519.00	\$ 15.00	3.0%	\$ 534.00	\$ 15.00	2.9%	\$ 556.00	\$ 22.00	4.1%	\$ 582.00	\$ 26.00	4.7%
E13	May	\$ 464.59	\$ 479.59	\$ 15.00	3.2%	\$ 494.59	\$ 15.00	3.1%	\$ 516.59	\$ 22.00	4.4%	\$ 542.59	\$ 26.00	5.0%
E16	May	\$ 522.77	\$ 537.77	\$ 15.00	2.9%	\$ 552.77	\$ 15.00	2.8%	\$ 574.77	\$ 22.00	4.0%	\$ 600.77	\$ 26.00	4.5%
E3	May	\$ 517.87	\$ 532.87	\$ 15.00	2.9%	\$ 547.87	\$ 15.00	2.8%	\$ 569.87	\$ 22.00	4.0%	\$ 595.87	\$ 26.00	4.6%
E5	May	\$ 505.33	\$ 520.33	\$ 15.00	3.0%	\$ 535.33	\$ 15.00	2.9%	\$ 557.33	\$ 22.00	4.1%	\$ 583.33	\$ 26.00	4.7%
E7	May	\$ 529.18	\$ 544.18	\$ 15.00	2.8%	\$ 559.18	\$ 15.00	2.8%	\$ 581.18	\$ 22.00	3.9%	\$ 607.18	\$ 26.00	4.5%
E8	May	\$ 593.73	\$ 608.73	\$ 15.00	2.5%	\$ 623.73	\$ 15.00	2.5%	\$ 645.73	\$ 22.00	3.5%	\$ 671.73	\$ 26.00	4.0%
E9	May	\$ 503.08	\$ 518.08	\$ 15.00	3.0%	\$ 533.08	\$ 15.00	2.9%	\$ 555.08	\$ 22.00	4.1%	\$ 581.08	\$ 26.00	4.7%
F11	May	\$ 543.58	\$ 558.58	\$ 15.00	2.8%	\$ 573.58	\$ 15.00	2.7%	\$ 595.58	\$ 22.00	3.8%	\$ 621.58	\$ 26.00	4.4%
F12	May	\$ 529.18	\$ 544.18	\$ 15.00	2.8%	\$ 559.18	\$ 15.00	2.8%	\$ 581.18	\$ 22.00	3.9%	\$ 607.18	\$ 26.00	4.5%
F13	May	\$ 590.54	\$ 605.54	\$ 15.00	2.5%	\$ 620.54	\$ 15.00	2.5%	\$ 642.54	\$ 22.00	3.5%	\$ 668.54	\$ 26.00	4.0%
F14	May	\$ 503.22	\$ 518.22	\$ 15.00	3.0%	\$ 533.22	\$ 15.00	2.9%	\$ 555.22	\$ 22.00	4.1%	\$ 581.22	\$ 26.00	4.7%
F2	May	\$ 591.28	\$ 606.28	\$ 15.00	2.5%	\$ 621.28	\$ 15.00	2.5%	\$ 643.28	\$ 22.00	3.5%	\$ 669.28	\$ 26.00	4.0%
F4	May	\$ 568.62	\$ 583.62	\$ 15.00	2.6%	\$ 598.62	\$ 15.00	2.6%	\$ 620.62	\$ 22.00	3.7%	\$ 646.62	\$ 26.00	4.2%
F6	May	\$ 570.86	\$ 585.86	\$ 15.00	2.6%	\$ 600.86	\$ 15.00	2.6%	\$ 622.86	\$ 22.00	3.7%	\$ 648.86	\$ 26.00	4.2%
F8	May	\$ 535.83	\$ 550.83	\$ 15.00	2.8%	\$ 565.83	\$ 15.00	2.7%	\$ 587.83	\$ 22.00	3.9%	\$ 613.83	\$ 26.00	4.4%
G11	May	\$ 519.34	\$ 534.34	\$ 15.00	2.9%	\$ 549.34	\$ 15.00	2.8%	\$ 571.34	\$ 22.00	4.0%	\$ 597.34	\$ 26.00	4.6%
G13	May	\$ 512.23	\$ 527.23	\$ 15.00	2.9%	\$ 542.23	\$ 15.00	2.8%	\$ 564.23	\$ 22.00	4.1%	\$ 590.23	\$ 26.00	4.6%

TABLE 1 - BRENTWOOD APPROVED RENT INCREASES (1/19/12) -

Increases do not include applicable annual permissive CPI or apply if lease terms have changed since July 15, 2010 decision

Space No.	Effective Date/ Anniversary	Rent as of 3/1/10	2010 APPROVED RENT	2010 APPROVED \$ INCREASE	2010 APPROVED % INCREASE	2011 APPROVED RENT	2011 APPROVED \$ INCREASE	2011 APPROVED % INCREASE	2012 APPROVED RENT	2012 APPROVED \$ INCREASE	2012 APPROVED % INCREASE	2013 APPROVED RENT	2013 APPROVED \$ INCREASE	2013 APPROVED % INCREASE
G21	May	\$ 531.31	\$ 546.31	\$ 15.00	2.8%	\$ 581.31	\$ 15.00	2.7%	\$ 583.31	\$ 22.00	3.9%	\$ 609.31	\$ 26.00	4.5%
G5	May	\$ 554.40	\$ 569.40	\$ 15.00	2.7%	\$ 584.40	\$ 15.00	2.6%	\$ 606.40	\$ 22.00	3.8%	\$ 632.40	\$ 26.00	4.3%
G9	May	\$ 504.59	\$ 519.59	\$ 15.00	3.0%	\$ 534.59	\$ 15.00	2.9%	\$ 556.59	\$ 22.00	4.1%	\$ 582.59	\$ 26.00	4.7%
H10	May	\$ 576.31	\$ 591.31	\$ 15.00	2.6%	\$ 606.31	\$ 15.00	2.5%	\$ 628.31	\$ 22.00	3.6%	\$ 654.31	\$ 26.00	4.1%
H11	May	\$ 537.95	\$ 552.95	\$ 15.00	2.8%	\$ 567.95	\$ 15.00	2.7%	\$ 589.95	\$ 22.00	3.9%	\$ 615.95	\$ 26.00	4.4%
H16	May	\$ 566.74	\$ 581.74	\$ 15.00	2.6%	\$ 596.74	\$ 15.00	2.6%	\$ 618.74	\$ 22.00	3.7%	\$ 644.74	\$ 26.00	4.2%
H2	May	\$ 482.63	\$ 497.63	\$ 15.00	3.1%	\$ 512.63	\$ 15.00	3.0%	\$ 534.63	\$ 22.00	4.3%	\$ 560.63	\$ 26.00	4.9%
H3	May	\$ 570.86	\$ 585.86	\$ 15.00	2.6%	\$ 600.86	\$ 15.00	2.6%	\$ 622.86	\$ 22.00	3.7%	\$ 648.86	\$ 26.00	4.2%
H6	May	\$ 540.34	\$ 555.34	\$ 15.00	2.8%	\$ 570.34	\$ 15.00	2.7%	\$ 592.34	\$ 22.00	3.9%	\$ 618.34	\$ 26.00	4.4%
H8	May	\$ 556.77	\$ 571.77	\$ 15.00	2.7%	\$ 586.77	\$ 15.00	2.6%	\$ 608.77	\$ 22.00	3.7%	\$ 634.77	\$ 26.00	4.3%
H11	May	\$ 518.87	\$ 533.87	\$ 15.00	2.9%	\$ 548.87	\$ 15.00	2.8%	\$ 570.87	\$ 22.00	4.0%	\$ 596.87	\$ 26.00	4.6%
H14	May	\$ 488.17	\$ 503.17	\$ 15.00	3.1%	\$ 518.17	\$ 15.00	3.0%	\$ 540.17	\$ 22.00	4.2%	\$ 566.17	\$ 26.00	4.8%
H16	May	\$ 478.77	\$ 493.77	\$ 15.00	3.1%	\$ 508.77	\$ 15.00	3.0%	\$ 530.77	\$ 22.00	4.3%	\$ 556.77	\$ 26.00	4.9%
H18	May	\$ 532.81	\$ 547.81	\$ 15.00	2.8%	\$ 562.81	\$ 15.00	2.7%	\$ 584.81	\$ 22.00	3.9%	\$ 610.81	\$ 26.00	4.4%
H19	May	\$ 485.96	\$ 500.96	\$ 15.00	3.1%	\$ 515.96	\$ 15.00	3.0%	\$ 537.96	\$ 22.00	4.3%	\$ 563.96	\$ 26.00	4.8%
H24	May	\$ 518.76	\$ 533.76	\$ 15.00	2.9%	\$ 548.76	\$ 15.00	2.8%	\$ 570.76	\$ 22.00	4.0%	\$ 596.76	\$ 26.00	4.6%
H27	May	\$ 509.28	\$ 524.28	\$ 15.00	2.9%	\$ 539.28	\$ 15.00	2.9%	\$ 561.28	\$ 22.00	4.1%	\$ 587.28	\$ 26.00	4.6%
H28	May	\$ 528.36	\$ 543.36	\$ 15.00	2.8%	\$ 558.36	\$ 15.00	2.8%	\$ 580.36	\$ 22.00	3.9%	\$ 606.36	\$ 26.00	4.5%
H29	May	\$ 529.18	\$ 544.18	\$ 15.00	2.8%	\$ 559.18	\$ 15.00	2.8%	\$ 581.18	\$ 22.00	3.9%	\$ 607.18	\$ 26.00	4.5%
I3	May	\$ 512.30	\$ 527.30	\$ 15.00	2.9%	\$ 542.30	\$ 15.00	2.8%	\$ 564.30	\$ 22.00	4.1%	\$ 590.30	\$ 26.00	4.6%
I35	May	\$ 557.08	\$ 572.08	\$ 15.00	2.7%	\$ 587.08	\$ 15.00	2.6%	\$ 609.08	\$ 22.00	3.7%	\$ 635.08	\$ 26.00	4.3%
I37	May	\$ 547.62	\$ 562.62	\$ 15.00	2.7%	\$ 577.62	\$ 15.00	2.7%	\$ 599.62	\$ 22.00	3.8%	\$ 625.62	\$ 26.00	4.3%
I38	May	\$ 514.34	\$ 529.34	\$ 15.00	2.9%	\$ 544.34	\$ 15.00	2.8%	\$ 566.34	\$ 22.00	4.0%	\$ 592.34	\$ 26.00	4.6%
I43	May	\$ 518.13	\$ 533.13	\$ 15.00	2.9%	\$ 548.13	\$ 15.00	2.8%	\$ 570.13	\$ 22.00	4.0%	\$ 596.13	\$ 26.00	4.6%
I46	May	\$ 507.27	\$ 522.27	\$ 15.00	3.0%	\$ 537.27	\$ 15.00	2.9%	\$ 559.27	\$ 22.00	4.1%	\$ 585.27	\$ 26.00	4.6%
I48	May	\$ 496.36	\$ 511.36	\$ 15.00	3.0%	\$ 526.36	\$ 15.00	2.9%	\$ 548.36	\$ 22.00	4.2%	\$ 574.36	\$ 26.00	4.7%
I50	May	\$ 531.41	\$ 546.41	\$ 15.00	2.8%	\$ 561.41	\$ 15.00	2.7%	\$ 583.41	\$ 22.00	3.9%	\$ 609.41	\$ 26.00	4.5%
I54	May	\$ 540.92	\$ 555.92	\$ 15.00	2.8%	\$ 570.92	\$ 15.00	2.7%	\$ 592.92	\$ 22.00	3.9%	\$ 618.92	\$ 26.00	4.4%
I55	May	\$ 542.69	\$ 557.69	\$ 15.00	2.8%	\$ 572.69	\$ 15.00	2.7%	\$ 594.69	\$ 22.00	3.8%	\$ 620.69	\$ 26.00	4.4%
I57	May	\$ 557.16	\$ 572.16	\$ 15.00	2.7%	\$ 587.16	\$ 15.00	2.6%	\$ 609.16	\$ 22.00	3.7%	\$ 635.16	\$ 26.00	4.3%
I60	May	\$ 504.06	\$ 519.06	\$ 15.00	3.0%	\$ 534.06	\$ 15.00	2.9%	\$ 556.06	\$ 22.00	4.1%	\$ 582.06	\$ 26.00	4.7%
I64	May	\$ 529.38	\$ 544.38	\$ 15.00	2.8%	\$ 559.38	\$ 15.00	2.8%	\$ 581.38	\$ 22.00	3.9%	\$ 607.38	\$ 26.00	4.5%
I66	May	\$ 512.85	\$ 527.85	\$ 15.00	2.9%	\$ 542.85	\$ 15.00	2.8%	\$ 564.85	\$ 22.00	4.1%	\$ 590.85	\$ 26.00	4.6%
I73	May	\$ 538.23	\$ 553.23	\$ 15.00	2.8%	\$ 568.23	\$ 15.00	2.7%	\$ 590.23	\$ 22.00	3.9%	\$ 616.23	\$ 26.00	4.4%
I76	May	\$ 574.20	\$ 589.20	\$ 15.00	2.6%	\$ 604.20	\$ 15.00	2.5%	\$ 626.20	\$ 22.00	3.6%	\$ 652.20	\$ 26.00	4.2%
I78	May	\$ 528.51	\$ 543.51	\$ 15.00	2.8%	\$ 568.51	\$ 15.00	2.8%	\$ 590.51	\$ 22.00	3.9%	\$ 606.51	\$ 26.00	4.5%
I79	May	\$ 560.47	\$ 575.47	\$ 15.00	2.7%	\$ 590.47	\$ 15.00	2.6%	\$ 612.47	\$ 22.00	3.7%	\$ 638.47	\$ 26.00	4.2%
I8	May	\$ 585.03	\$ 600.03	\$ 15.00	2.6%	\$ 615.03	\$ 15.00	2.5%	\$ 637.03	\$ 22.00	3.6%	\$ 663.03	\$ 26.00	4.1%
I80	May	\$ 516.36	\$ 531.36	\$ 15.00	2.9%	\$ 546.36	\$ 15.00	2.8%	\$ 568.36	\$ 22.00	4.0%	\$ 594.36	\$ 26.00	4.6%
I29	May	\$ 508.18	\$ 523.18	\$ 15.00	3.0%	\$ 538.18	\$ 15.00	2.9%	\$ 560.18	\$ 22.00	4.1%	\$ 586.18	\$ 26.00	4.6%
J33	May	\$ 542.02	\$ 557.02	\$ 15.00	2.8%	\$ 572.02	\$ 15.00	2.7%	\$ 594.02	\$ 22.00	3.8%	\$ 620.02	\$ 26.00	4.4%
J34	May	\$ 530.48	\$ 545.48	\$ 15.00	2.8%	\$ 560.48	\$ 15.00	2.7%	\$ 582.48	\$ 22.00	3.9%	\$ 608.48	\$ 26.00	4.5%
J35	May	\$ 476.35	\$ 491.35	\$ 15.00	3.1%	\$ 506.35	\$ 15.00	3.1%	\$ 528.35	\$ 22.00	4.3%	\$ 554.35	\$ 26.00	4.9%
J38	May	\$ 544.21	\$ 559.21	\$ 15.00	2.8%	\$ 574.21	\$ 15.00	2.7%	\$ 596.21	\$ 22.00	3.8%	\$ 622.21	\$ 26.00	4.4%
J41	May	\$ 494.11	\$ 509.11	\$ 15.00	3.0%	\$ 524.11	\$ 15.00	2.9%	\$ 546.11	\$ 22.00	4.2%	\$ 572.11	\$ 26.00	4.8%
K2	May	\$ 556.40	\$ 571.40	\$ 15.00	2.7%	\$ 586.40	\$ 15.00	2.6%	\$ 608.40	\$ 22.00	3.8%	\$ 634.40	\$ 26.00	4.3%
K5	May	\$ 493.38	\$ 508.38	\$ 15.00	3.0%	\$ 523.38	\$ 15.00	3.0%	\$ 545.38	\$ 22.00	4.2%	\$ 571.38	\$ 26.00	4.8%
K9	May	\$ 539.80	\$ 554.80	\$ 15.00	2.8%	\$ 569.80	\$ 15.00	2.7%	\$ 591.80	\$ 22.00	3.9%	\$ 617.80	\$ 26.00	4.4%

TABLE 1 - BRENTWOOD APPROVED RENT INCREASES (1/19/12) -
Increases do not include applicable annual permissive CPI or apply if lease terms have changed since July 15, 2010 decision

Space No.	Effective Date/ Anniversary	Rent as of 3/1/10	2010 APPROVED RENT	2010 APPROVED \$ INCREASE	2010 % INCREASE	2011 APPROVED RENT	2011 APPROVED \$ INCREASE	2011 % INCREASE	2012 APPROVED RENT	2012 APPROVED \$ INCREASE	2012 % INCREASE	2013 APPROVED RENT	2013 APPROVED \$ INCREASE	2013 % INCREASE
L10	May	\$ 516.97	\$ 531.97	\$ 15.00	2.9%	\$ 546.97	\$ 15.00	2.8%	\$ 568.97	\$ 22.00	4.0%	\$ 594.97	\$ 26.00	4.6%
L12	May	\$ 450.19	\$ 465.19	\$ 15.00	3.3%	\$ 480.19	\$ 15.00	3.2%	\$ 502.19	\$ 22.00	4.6%	\$ 528.19	\$ 26.00	5.2%
L15	May	\$ 539.84	\$ 554.84	\$ 15.00	2.8%	\$ 569.84	\$ 15.00	2.7%	\$ 591.84	\$ 22.00	3.9%	\$ 617.84	\$ 26.00	4.4%
L2	May	\$ 526.21	\$ 541.21	\$ 15.00	2.9%	\$ 556.21	\$ 15.00	2.8%	\$ 578.21	\$ 22.00	4.0%	\$ 604.21	\$ 26.00	4.5%
L3	May	\$ 490.75	\$ 505.75	\$ 15.00	3.1%	\$ 520.75	\$ 15.00	3.0%	\$ 542.75	\$ 22.00	4.2%	\$ 568.75	\$ 26.00	4.8%
L4	May	\$ 556.40	\$ 571.40	\$ 15.00	2.7%	\$ 586.40	\$ 15.00	2.6%	\$ 608.40	\$ 22.00	3.8%	\$ 634.40	\$ 26.00	4.3%
L5	May	\$ 484.25	\$ 499.25	\$ 15.00	3.1%	\$ 514.25	\$ 15.00	3.0%	\$ 536.25	\$ 22.00	4.3%	\$ 562.25	\$ 26.00	4.8%
L6	May	\$ 556.40	\$ 571.40	\$ 15.00	2.7%	\$ 586.40	\$ 15.00	2.6%	\$ 608.40	\$ 22.00	3.8%	\$ 634.40	\$ 26.00	4.3%
L8	May	\$ 495.26	\$ 510.26	\$ 15.00	3.0%	\$ 525.26	\$ 15.00	2.9%	\$ 547.26	\$ 22.00	4.2%	\$ 573.26	\$ 26.00	4.8%
M1	May	\$ 537.70	\$ 552.70	\$ 15.00	2.8%	\$ 567.70	\$ 15.00	2.7%	\$ 589.70	\$ 22.00	3.9%	\$ 615.70	\$ 26.00	4.4%
M12	May	\$ 510.54	\$ 525.54	\$ 15.00	2.9%	\$ 540.54	\$ 15.00	2.9%	\$ 562.54	\$ 22.00	4.1%	\$ 588.54	\$ 26.00	4.6%
M14	May	\$ 475.48	\$ 490.48	\$ 15.00	3.2%	\$ 505.48	\$ 15.00	3.1%	\$ 527.48	\$ 22.00	4.4%	\$ 553.48	\$ 26.00	4.9%
M16	May	\$ 533.74	\$ 548.74	\$ 15.00	2.8%	\$ 563.74	\$ 15.00	2.7%	\$ 585.74	\$ 22.00	3.9%	\$ 611.74	\$ 26.00	4.4%
M20	May	\$ 556.40	\$ 571.40	\$ 15.00	2.7%	\$ 586.40	\$ 15.00	2.6%	\$ 608.40	\$ 22.00	3.8%	\$ 634.40	\$ 26.00	4.3%
M4	May	\$ 548.14	\$ 563.14	\$ 15.00	2.7%	\$ 578.14	\$ 15.00	2.7%	\$ 600.14	\$ 22.00	3.8%	\$ 626.14	\$ 26.00	4.3%
B27	August	\$ 572.01	\$ 587.01	\$ 15.00	2.6%	\$ 602.01	\$ 15.00	2.6%	\$ 624.01	\$ 22.00	3.7%	\$ 650.01	\$ 26.00	4.2%
B6	August	\$ 524.18	\$ 539.18	\$ 15.00	2.9%	\$ 554.18	\$ 15.00	2.8%	\$ 576.18	\$ 22.00	4.0%	\$ 602.18	\$ 26.00	4.5%
C11	August	\$ 540.13	\$ 555.13	\$ 15.00	2.8%	\$ 570.13	\$ 15.00	2.7%	\$ 592.13	\$ 22.00	3.9%	\$ 618.13	\$ 26.00	4.4%
C39	August	\$ 570.88	\$ 585.88	\$ 15.00	2.6%	\$ 600.88	\$ 15.00	2.6%	\$ 622.88	\$ 22.00	3.7%	\$ 648.88	\$ 26.00	4.2%
D42	August	\$ 547.14	\$ 562.14	\$ 15.00	2.7%	\$ 577.14	\$ 15.00	2.7%	\$ 599.14	\$ 22.00	3.8%	\$ 625.14	\$ 26.00	4.3%
D6	August	\$ 553.30	\$ 568.30	\$ 15.00	2.7%	\$ 583.30	\$ 15.00	2.6%	\$ 605.30	\$ 22.00	3.8%	\$ 631.30	\$ 26.00	4.3%
D8	August	\$ 536.14	\$ 551.14	\$ 15.00	2.8%	\$ 566.14	\$ 15.00	2.7%	\$ 588.14	\$ 22.00	3.9%	\$ 614.14	\$ 26.00	4.4%
E15	August	\$ 597.04	\$ 612.04	\$ 15.00	2.5%	\$ 627.04	\$ 15.00	2.5%	\$ 649.04	\$ 22.00	3.5%	\$ 675.04	\$ 26.00	4.0%
F10	August	\$ 526.59	\$ 541.59	\$ 15.00	2.8%	\$ 556.59	\$ 15.00	2.8%	\$ 578.59	\$ 22.00	4.0%	\$ 604.59	\$ 26.00	4.5%
G7	August	\$ 571.92	\$ 586.92	\$ 15.00	2.6%	\$ 601.92	\$ 15.00	2.6%	\$ 623.92	\$ 22.00	3.7%	\$ 649.92	\$ 26.00	4.2%
H13	August	\$ 526.98	\$ 541.98	\$ 15.00	2.8%	\$ 556.98	\$ 15.00	2.8%	\$ 578.98	\$ 22.00	3.9%	\$ 604.98	\$ 26.00	4.5%
H14	August	\$ 491.49	\$ 506.49	\$ 15.00	3.1%	\$ 521.49	\$ 15.00	3.0%	\$ 543.49	\$ 22.00	4.2%	\$ 569.49	\$ 26.00	4.8%
I13	August	\$ 533.17	\$ 548.17	\$ 15.00	2.8%	\$ 563.17	\$ 15.00	2.7%	\$ 585.17	\$ 22.00	3.9%	\$ 611.17	\$ 26.00	4.4%
I2	August	\$ 574.80	\$ 589.80	\$ 15.00	2.6%	\$ 604.80	\$ 15.00	2.5%	\$ 626.80	\$ 22.00	3.6%	\$ 652.80	\$ 26.00	4.1%
I33	August	\$ 540.49	\$ 555.49	\$ 15.00	2.8%	\$ 570.49	\$ 15.00	2.7%	\$ 592.49	\$ 22.00	3.9%	\$ 618.49	\$ 26.00	4.4%
I4	August	\$ 556.25	\$ 571.25	\$ 15.00	2.7%	\$ 586.25	\$ 15.00	2.7%	\$ 608.25	\$ 22.00	3.9%	\$ 634.25	\$ 26.00	4.4%
I45	August	\$ 572.55	\$ 587.55	\$ 15.00	2.6%	\$ 602.55	\$ 15.00	2.6%	\$ 624.55	\$ 22.00	3.7%	\$ 650.55	\$ 26.00	4.2%
I5	August	\$ 594.01	\$ 609.01	\$ 15.00	2.5%	\$ 624.01	\$ 15.00	2.5%	\$ 646.01	\$ 22.00	3.5%	\$ 672.01	\$ 26.00	4.0%
I56	August	\$ 594.01	\$ 609.01	\$ 15.00	2.5%	\$ 624.01	\$ 15.00	2.5%	\$ 646.01	\$ 22.00	3.5%	\$ 672.01	\$ 26.00	4.0%
I58	August	\$ 516.28	\$ 531.28	\$ 15.00	2.9%	\$ 546.28	\$ 15.00	2.8%	\$ 568.28	\$ 22.00	4.0%	\$ 594.28	\$ 26.00	4.6%
I70	August	\$ 491.49	\$ 506.49	\$ 15.00	3.1%	\$ 521.49	\$ 15.00	3.0%	\$ 543.49	\$ 22.00	4.2%	\$ 569.49	\$ 26.00	4.8%
I30	August	\$ 524.18	\$ 539.18	\$ 15.00	2.9%	\$ 554.18	\$ 15.00	2.8%	\$ 576.18	\$ 22.00	4.0%	\$ 602.18	\$ 26.00	4.5%
J37	August	\$ 580.80	\$ 595.80	\$ 15.00	2.6%	\$ 610.80	\$ 15.00	2.5%	\$ 632.80	\$ 22.00	3.6%	\$ 658.80	\$ 26.00	4.1%
K3	August	\$ 568.53	\$ 583.53	\$ 15.00	2.6%	\$ 598.53	\$ 15.00	2.6%	\$ 620.53	\$ 22.00	3.7%	\$ 646.53	\$ 26.00	4.2%
L1	August	\$ 560.08	\$ 575.08	\$ 15.00	2.7%	\$ 590.08	\$ 15.00	2.6%	\$ 612.08	\$ 22.00	3.7%	\$ 638.08	\$ 26.00	4.2%
L13	August	\$ 574.62	\$ 589.62	\$ 15.00	2.6%	\$ 604.62	\$ 15.00	2.5%	\$ 626.62	\$ 22.00	4.2%	\$ 652.62	\$ 26.00	4.1%
M10	August	\$ 496.30	\$ 511.30	\$ 15.00	3.0%	\$ 526.30	\$ 15.00	2.9%	\$ 548.30	\$ 22.00	4.2%	\$ 574.30	\$ 26.00	4.7%
M18	August	\$ 530.07	\$ 545.07	\$ 15.00	2.8%	\$ 560.07	\$ 15.00	2.8%	\$ 582.07	\$ 22.00	3.9%	\$ 608.07	\$ 26.00	4.5%
I12	October	\$ 439.15	\$ 454.15	\$ 15.00	3.4%	\$ 469.15	\$ 15.00	3.3%	\$ 491.15	\$ 22.00	4.7%	\$ 517.15	\$ 26.00	5.3%
I30	October	\$ 543.75	\$ 558.75	\$ 15.00	2.8%	\$ 573.75	\$ 15.00	2.7%	\$ 595.75	\$ 22.00	3.8%	\$ 621.75	\$ 26.00	4.4%
I34	October	\$ 460.73	\$ 475.73	\$ 15.00	3.3%	\$ 490.73	\$ 15.00	3.2%	\$ 512.73	\$ 22.00	4.5%	\$ 538.73	\$ 26.00	5.1%

TABLE 1 - BRENTWOOD APPROVED RENT INCREASES (1/19/12) -
Increases do not include applicable annual permissive CPI or apply if lease terms have changed since July 15, 2010 decision

Space No.	Effective Date/ Anniversary	Rent as of 3/1/10	2010 APPROVED RENT	2010 APPROVED \$ INCREASE	2010 APPROVED % INCREASE	2011 APPROVED RENT	2011 APPROVED \$ INCREASE	2011 APPROVED % INCREASE	2012 APPROVED RENT	2012 APPROVED \$ INCREASE	2012 APPROVED % INCREASE	2013 APPROVED RENT	2013 APPROVED \$ INCREASE	2013 APPROVED % INCREASE
I72	October	\$ 428.87	\$ 443.87	\$ 15.00	3.5%	\$ 458.87	\$ 15.00	3.4%	\$ 480.87	\$ 22.00	4.8%	\$ 506.87	\$ 26.00	5.4%
I9	October	\$ 519.46	\$ 534.46	\$ 15.00	2.9%	\$ 549.46	\$ 15.00	2.8%	\$ 571.46	\$ 22.00	4.0%	\$ 597.46	\$ 26.00	4.5%
I20	November	\$ 452.69	\$ 467.69	\$ 15.00	3.3%	\$ 482.69	\$ 15.00	3.2%	\$ 504.69	\$ 22.00	4.6%	\$ 530.69	\$ 26.00	5.2%
I22	November	\$ 473.14	\$ 488.14	\$ 15.00	3.2%	\$ 503.14	\$ 15.00	3.1%	\$ 525.14	\$ 22.00	4.4%	\$ 551.14	\$ 26.00	5.0%
I11	February	\$ 487.50	\$ 502.50	\$ 15.00	3.1%	\$ 517.50	\$ 15.00	3.0%	\$ 539.50	\$ 22.00	4.3%	\$ 565.50	\$ 26.00	4.8%
I62	February	\$ 581.31	\$ 596.31	\$ 15.00	2.6%	\$ 611.31	\$ 15.00	2.5%	\$ 633.31	\$ 22.00	3.6%	\$ 659.31	\$ 26.00	4.1%
I7	February	\$ 559.63	\$ 574.63	\$ 15.00	2.7%	\$ 589.63	\$ 15.00	2.6%	\$ 611.63	\$ 22.00	3.7%	\$ 637.63	\$ 26.00	4.3%
C28	April	\$ 512.73	\$ 527.73	\$ 15.00	2.9%	\$ 542.73	\$ 15.00	2.8%	\$ 564.73	\$ 22.00	4.1%	\$ 590.73	\$ 26.00	4.6%